REMARKS/ARGUMENTS

Claims 6-12 and 16-24 are pending in this application. By this Amendment, the drawings, Abstract and claims 6-12 and 16-21 are amended, claims 22-24 are added, and claims 1-5 and 13-15 are canceled without prejudice or disclaimer. Support for the claims can be found throughout the specification, including the original claims and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

I. Restriction Requirement

Applicants maintain their traversal of the Restriction Requirement set forth in the Patent Office Communication dated September 6, 2006. However, merely to expedite prosecution of the application, Applicants have canceled non-elected claims 1-5 and 13-15 without prejudice or disclaimer to be pursued in divisional application(s).

II. Double Patenting Rejection

The Office Action provisionally rejects claims 6-8 under the judicially created doctrine of obviousness-type double patenting over claims 1-5 of co-pending Application Serial No. 11/088,718 (hereinafter "the '718 application"). The rejection is respectfully traversed.

MPEP 804 states:

> "The doctrine of double patenting seeks to prevent the unjustified extension of patent exclusivity beyond the term of a patent.
>
> ...[T]he second [type of double patenting rejection] is the "nonstatutory-type" double patenting rejection based on a judicially created doctrine grounded in public and which is primarily intended to prevent prolongation of the patent term by prohibiting claims in a second patent not patentably distinguishing from claims in a first patent."

The present application was filed in the U.S. on November 25, 2003 (claiming priority to a corresponding Korean application filed on November 28, 2002). The '718 application was filed in the U.S. on March 25, 2005 (claiming priority to two corresponding Korean applications each filed on March 25, 2004). The November 25, 2003 U.S. filing date of the present application is clearly 16 months prior to the March 25, 2005 U.S. filing date of the '718 application. Thus, the filing of the present application can in no way be used to extend patent exclusivity of the '718 patent, and any such terminal disclaimer as referred to in the Office Action would be ineffective, as there would be no term to disclaim. Accordingly, it is respectfully submitted that the double patenting rejection of claims 6-8 of the present application over claims 1-5 of the '718 application is improper, and that the rejection should be withdrawn.

III. Rejection Under 35 U.S.C. §112, Second Paragraph

The Office Action rejects claims 6-12 and 16-21 under 35 U.S.C. 112, second paragraph, as allegedly indefinite. It is respectfully submitted that the amendments to claims 6-12 and 16-21 are responsive to the Examiner's comments, and that claims 6-12 and 16-21 meet the requirements of 35 U.S.C. 112, second paragraph. Accordingly, the rejection should be withdrawn.

IV. Rejection Under 35 U.S.C. §102(e)

The Office Action rejects claims 6-11 under 35 U.S.C. 102(e) over U.S. Patent No. 6,582,276 to Bao. The rejection is respectfully traversed.

Independent claim 6 is directed to a method of controlling a door of a drum type washing machine. Independent claim 6 recites sensing a water level in a washing tub using a sensor coupled to the washing tub. Independent claim 6 also recites comparing in a controller of the washing machine the sensed water level to a reference water level previously stored in the controller, and locking or unlocking the door based on a result of the comparing step. Bao neither discloses nor suggests at least such features, let alone the claimed combination of features.

Bao discloses a toy washing machine including a casing 1 with a front panel 2 and a door 3 formed therein, and a door lock device which keeps the door 3 locked when there is water in a drum 39 of the machine. The door lock device works together with a floating pontoon device, including a rubber tube 27 coupled to a floating pontoon 25 positioned within a floating pontoon cabinet 24, and a guide tube 26 coupled to the floating pontoon cabinet 24 and surrounding a portion of the rubber tube 27.

Water is introduced into a water inlet drawer 4 and through a water hose 33 and tee pipe 35. At this point, the door 3 can still be opened, as a pin 21 of the door lock device has not yet been extended into a guide hole 23 of a door lock casing 17, thus allowing free movement of a door latch 13. As the floating pontoon device is positioned below the tee pipe 35 and drum 39, the water first begins filling the floating pontoon cabinet 25, causing the floating pontoon 25 and rubber tube 27 to rise as of the water level rises. The upper end of the rubber tube 27 lifts an end of a lever 29, causing the opposite end of the lever 29 to fall, depress a spring 30, and allow

the pin 21 to descend into the guide hole 23 of the door lock casing 17, thus restricting movement of the latch 13 and locking the door 3 as soon as the floating pontoon cabinet 24 contains the requisite amount of water, but before any water has actually been fed into the drum 39. The water then fills the drum 39, and the machine carries out a simulated cycle (see column 5, lines 39-50 of Bao). Upon completion of the simulated cycle, water drains first from the drum 39, and the door 3 remains locked until the water is drained from the floating pontoon cabinet 24.

The door 3 is locked or unlocked based on a position of the floating pontoon 25 and tube 27 and a corresponding position of the pin 21. As soon as the floating pontoon cabinet 24 is filled with water, the door 3 is locked, whether or not there is actually any water in the drum 39. A filling of the floating pontoon cabinet 24 is not necessarily indicative that there is any water at all in the drum 39, let alone of a specific water level in the drum 39. Rather, this only indicates that the floating pontoon cabinet 24 is full, and that there may be some indeterminate amount of water present in the drum 39. The floating pontoon cabinet 24 clearly does not function as a water level sensor that can sense a specific level of water in the drum 39. Thus, Bao neither discloses nor suggests sensing a water level in a washing tub, as recited in independent claim 6, let alone using a sensor coupled to the washing tub, as recited in independent claim 6. Further, Bao neither discloses any type of controller which controls any of the functions of the toy washing machine, and thus neither discloses nor suggests that any such sensed water level could be compared to a reference water level by such a controller, as recited in

independent claim 6, nor that such a reference water level is previously stored in such a controller, as recited in independent claim 6.

Accordingly, it is respectfully submitted that independent claim 6 is not anticipated by Bao, and thus the rejection of independent claim 6 under 35 U.S.C. 102(b) over Bao should be withdrawn. Dependent claims 7-11 are allowable at least for the reasons set forth above with respect to independent claim 6, from which they depend, as well as for their added features.

V. Rejection Under 35 U.S.C. §103(a)

The Office Action rejects claims 9-12 and 16-21 under 35 U.S.C. 103(a) over Bao. The rejection is respectfully traversed.

Independent claim 16 is directed to a method of controlling a door of a drum type washing machine. Independent claim 16 recites determining whether power is applied to the washing machine using the controller and its operable coupling to the plurality of functional elements, and unlocking the door when the controller determines that power is not applied, and determining whether water is present in a washing tub of the washing machine when the controller determines that power is applied using a water level sensor coupled to the controller. Independent claim 16 also recites unlocking the door when the controller determines that water is not present in the washing tub, and sensing a water level in the washing tub using the water level sensor operably coupled to the controller when the controller determines that water is present in the washing tub, and locking or unlocking the door based on the sensed water level.

As set forth above, Bao neither discloses nor suggests at least such features, let alone the claimed combination of features.

More specifically, Bao clearly discloses that a power switch 5 and start button 6 can only be activated to initiate the simulated cycle after the water level in the drum cabin 34 rises to two thirds of its height (see column 5, lines 39-50 of Bao). Bao is silent as to how a determination of water leveling the drum cabinet 34 is made. Bao neither discloses nor suggests that any of the functions of the toy washing machine can be controlled by any type of controller, nor that such a controller could be used to determine whether power is applied to the toy washing machine. Further, Bao neither discloses nor suggests that the door 3 could be unlocked simply because it is determined that power has not been applied to the washing machine, as recited in independent claim 16, nor that a water level in the drum 39 is sensed if it is determined that power is applied. Rather, the reverse is true, in that the elevated water level in the drum cabin 34 is what allows power to flow to the machine and carry out the simulated cycle.

Further, it would not have been obvious to modify the toy washing machine disclosed by Bao to include the features recited in independent claim 16. More specifically, it is respectfully submitted that Bao teaches away from such a modification. For example, Bao clearly discloses that the supply of power is initiated by the user, and only after the drum 39 is substantially full of water and the door 3 must remain locked. Thus, during the fill period, when power cannot applied to Bao's toy machine, the door 3 remains locked. In contrast, independent claim 16 recites unlocking the door when power is not applied. Additionally, the incorporation of a

controller operably coupled to a plurality of functional elements of the washing machine, such as, for example, a water level sensor, would add undue complexity and cost, and unnecessary functionality to a machine which is intended for use as a child's toy.

Accordingly, it is respectfully submitted that independent claim 16 is allowable over Bao, and thus the rejection of independent claim 16 under 35 U.S.C. 103(a) over Bao should be withdrawn. Dependent claims 17-21 are allowable at least for the reasons set forth above with respect to independent claim 16, from which they depend, as well as for their added features.

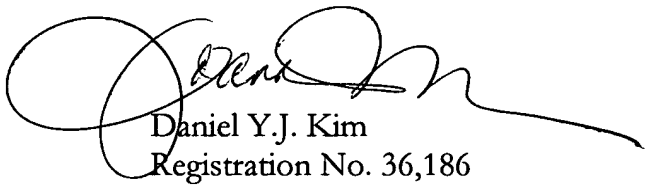
Likewise, dependent claim 9-12 are allowable at least for the reasons set forth above with respect to independent claim 6, from which they depend, as well as for their added features.

VI. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, **Joanna K. Mason**, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
KED & ASSOCIATES, LLP



Daniel Y.J. Kim
Registration No. 36,186
Joanna K. Mason
Registration No. 56,408

P.O. Box 221200
Chantilly, Virginia 20153-1200
(703) 766-3777 DYK/JKM/lhd
Date: March 13, 2007
\\Fk4\Documents\2016\2016-678\113986.doc

Please direct all correspondence to Customer Number 34610

Amendments to the Drawings:

The enclosed drawing includes changes to Fig. 3. This sheet, which includes Fig. 3, replaces the original sheet including Fig. 3. Fig. 3 has been amended to correct a typographical error.

Encs.: Replacement Sheet (1)
Annotated Sheet (1)

ANNOTATED

FIG. 2

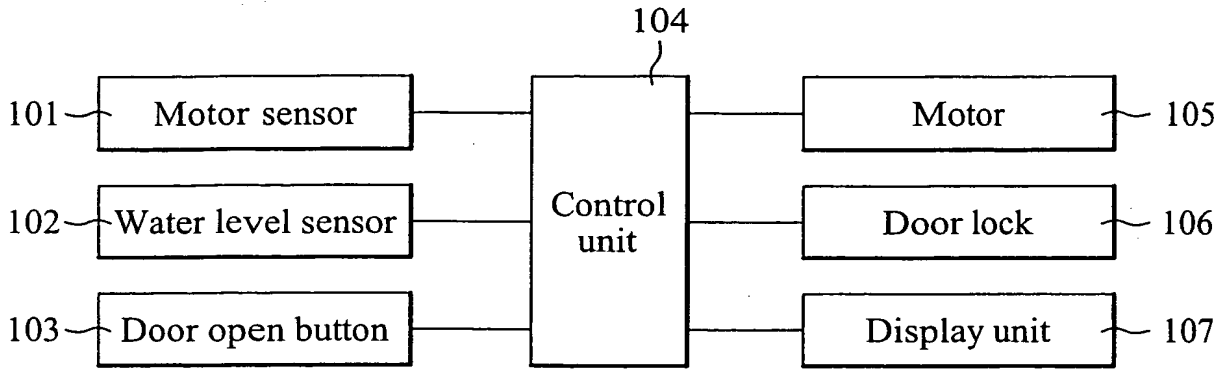


FIG. 3